

## LABOUR DEPARTMENT

The 15th April, 1975

No. 3656-4Lab-75/12604.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workmen and the Management of M/s. Stepwel (Private) Ltd., 49, DLF, 14/1, Mathura Road, Faridabad.

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,  
HARYANA, FARIDABAD

Reference No. 89 of 1974

between

THE WORKMEN AND THE MANAGEMENT OF M/S STEPWAL (PRIVATE) LTD.,  
49, DLF, MATHURA ROAD, FARIDABAD.

Present :—

Shri Dharam Pal, for the workmen.

Shri D. C. Bhardwaj, for the management.

## AWARD

The workmen of M/s Stepwal (Private) Ltd., 49, DLF, 14/1, Mathura Road, Faridabad, had raised demands for the grant of dearness allowance and supply of uniforms which was not accepted by the management. This gave rise to an industrial dispute.

On receipt of the failure report from the Conciliation Officer, the Governor of Haryana, referred the dispute for adjudication to this Tribunal,—vide order No. ID/FD/74/888/27076, dated 19th July, 1974 in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 with the following terms of reference.

- (1) Whether the workmen are entitled to the grant of dearness allowance? If so, at what rate?
- (2) Whether the workmen are entitled to the supply of uniforms? If so, with what details?

The parties were called upon to put in their respective pleadings. They have arrived at an amicable settlement, as per terms and conditions given in the memorandum of settlement Exhibit M-1, which is signed by 9 workmen including the 5 representatives Sarvshri Ramesh Chand, Ram Janam, Dalip Kumar, Narinder Kumar and Om Parkash. Shri H. B. Singh, Factory Manager has signed it on behalf of the management and Shri V. K. Dugal, Administrative Officer has witnessed it.

Statements of the authorised representatives of the parties have been recorded and they have sworn testimony to the genuineness of the settlement.

In view of the above, no further proceedings are called for and the award is made as per terms and conditions given in the memorandum of settlement Exhibit M-1 which shall form part of the award. There shall be no order as to costs.

Dated the 25th March, 1975.

O. P. SHARMA,  
Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

No. 653, dated the 31st March, 1975.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour & Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

Dated the 31st March, 1975.

O. P. SHARMA,  
Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

## FORM 'B'

(See Rule 58)

## MEMORANDUM OF SETTLEMENT UNDER SECTION 19(1) OF INDUSTRIAL DISPUTES ACT, 1947.

BETWEEN THE MANAGEMENT AND THE WORKMEN OF MESSRS STEPWEL INDUSTRIES LIMITED 49, DLF INDUSTRIAL ESTATE NO. 1, 14TH MILESTONE, DELHI-MATHURA ROAD, FARIDABAD.

## NAME OF THE PARTIES

Representing Employer

Mr. H. B. Singh, Factory Manager, Stepwel Industries Limited, 49, DLF, Industrial Estate, 14th Milestone, Delhi-Mathura Road, Faridabad.

Representing Workmen

1. Shri Ramesh Chand
2. Sri Ram Janam
3. Shri Dilip Kumar
4. Shri Narinder Kumar
5. Shri Om Prakash

## SHORT RECITAL OF THE CASE

The workmen served a Demand Notice, dated the 25th March, 1974 duly signed by five authorised representatives of the workmen on the basis of which a reference was made to the Hon'ble Industrial Tribunal, Haryana, Faridabad under reference No. — 1974 and subsequently workmen again sent a letter to the Management requesting for increase of the wages, D. A., Uniform allowance and other demands. Negotiations were held many times between the Management's representatives and the workmen representatives and as a result of these negotiations, the following settlement was arrived at :—

## TERMS OF SETTLEMENT

The Management keeping in view their demand for increase in wages and other demands as referred to above has introduced a production incentive scheme whereby the workmen in all categories be benefitted financially. The production scheme is as under :—

The jobs undertaken in the manufacturing process of the company has been scientifically and rationally classified. In each classification a piece rate per 100 pairs have been calculated against each item which is enclosed as Annexure 'A'. The production will be calculated at the rate of 100 pairs and their multiples thereby ensuring that in case the employer is unable to provide sufficient work and the workmen are not laid off, i.e. they normally work for 25 days in a calendar month, they will be ensured the basic salary for these particular working period. However if they are laid off, they will be paid according to the provisions as per Industrial Dispute Act, 1947 and rules made thereunder.

Keeping in view the scientific job classification and to maintain good harmonious relations, management and the workmen's authorised representatives have mutually agreed to the classifications, grades and scales which are as under :—

(i) Trainee under 6 months initial training	..	Rs. 125.00 per month
Unskilled workmen on confirmation	..	Rs. 125—2.50—150
(ii) Semi-skilled on probation (6 months)	..	Rs. 150.00 per month
(or any extended period of probation)	..	
Semi-skilled on confirmation	..	Rs. 150—5—200
(iii) Skilled on probation (6 months or any	..	Rs. 175.00 per month
extended period of probation)	..	
Skilled on confirmation	..	Rs. 175—7.50—250

2. These scales and grades co-relate to the basic piece rate production figures which will be calculated based on the figures given at the job of each grade. If any workmen in any particular grade puts in 25 days physical work achieving his basic production norm, he will earn a minimum wage application to his grade and thus will be ensured an income based on the grades as detailed above. The



workmen shall be subject to the piece rate calculation as per the Annexure details and job description as given in Annexure 'A'. In fixing the production norms, due consideration has been given for cleaning the work place attending to personal needs of call of nature and ordinary delay in working process due to minor breakdown in production. The capacities provide margins to earn incentive by exceeding the basic norm. Any achievement of production wage over and above the basic norm will entitle the workman additional wage calculated on the basic piece rate which will be paid to him on the actual monthly achievement.

3. All permanent workman will be entitled to a weekly attendance bonus of Rs. 6.00 per week. This will be payable provided the workmen is present for all the working days of a week. In case of authorised casual or earned leave, the workmen's attendance bonus will not be affected. In all other cases of absence for whatsoever reason, even for single day in any week will debar the workman from getting the attendance bonus for that week.

4. On the request of the workmen in order to facilitate the payment of unavailed earned leave, it is agreed also that leave earned on the basis of physical attendance every month, the workmen will be paid their unavailed earned leave calculated on the basis of one day's salary for every 20 days of physical attendance,

5. Parties also have agreed that in view of the above production scheme whereby *ad hoc* increase in each category has been allowed and a time scale has been fixed in each classification as per ANNEXURE 'B' the workmen voluntarily agree that their demands of D.A. and Uniforms which are pending before the Hon'ble Industrial Tribunal are withdrawn and they shall fulfil all the formalities in connection to the withdrawal of the case.

A copy of this settlement shall be submitted to the Hon'ble Industrial Tribunal, Haryana, Faridabad who will make his award according to the Pending Reference No. ———— 1974,

In consideration to that, the workmen agree that they will not make any demand involving financial liability for a period of three years from the date of signing this agreement.

**SIGNATURES OF EMPLOYER'S  
REPRESENTATIVE**

for STEPWEL INDUSTRIES LIMITED

(Sd.) . . .

FACTORY MANAGER.

Witnesses :

1. (Sd.) . . .

2. (Sd.) . . .

**SIGNATURES OF AUTHORISED  
REPRESENTATIVE OF THE  
WORKMEN**

1. (Sd.) Ramesh Chand.

2. (Sd.) Ram Janam.

3. (Sd.) Dalip Kumar.

4. (Sd.) Narinder Kumar.

5. (Sd.) Om Parkash.

6. (Sd.) Puran Chand.

7. (Sd.) Ram Snehi

8. (Sd.) Khushal Singh.

9. (Sd.) Rajinder Pd.

10. (Sd.) Subhash Prakash.

11. (Sd.) Bharat Prasad.

M. SETH, Commissioner and Secy.